



City of YUMA

**CITY OF YUMA
REGULAR CITY COUNCIL MEETING AGENDA
COUNCIL CHAMBERS – YUMA CITY HALL
ONE CITY PLAZA, YUMA, ARIZONA
WEDNESDAY, SEPTEMBER 04, 2013
5:30 P.M.**

PLEASE NOTE: THE EXECUTIVE SESSION AGENDA IS ATTACHED AT THE BOTTOM OF THIS AGENDA

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

FINAL CALL for submission of Speaker Request Forms

PRESENTATIONS

- Presentation of re-accreditation plaque by Fire Chief McArthur

I. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

A. Approval of minutes of the following City Council meeting(s):

- | | | | |
|-----|----|------------------------------|----------------|
| 9. | 1. | Regular City Council Meeting | April 17, 2013 |
| 17. | 2. | Regular Worksession | April 30, 2013 |

B. Approval of Staff Recommendations:

Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

22. 2. Special Event Liquor License: SPORT, Inc. - Harley HOG Rally

Approve a Special Event Liquor License application submitted by Cathy Reeves, on behalf of SPORT, Inc., for the Harley HOG Rally. This event will be held in Downtown Yuma, in the 100 block through the 300 block of South Main Street, on Thursday, October 24, 2013 from 10:00 a.m. to 11:00 p.m., Friday, October 25, 2013 from 10:00 a.m. to 1:00 a.m., and Saturday, October 26, 2013, from 10:00 a.m. to 11:00 p.m. (SP13-23) (City Administration/City Clerk) (Lynda Bushong)

24. 3. Special Event Liquor License: Yuma Visitors Bureau - Rio de Cerveza Brew Fest

Approve a Special Event Liquor License application submitted by Clyde Robert Nidiffer, on behalf of the Yuma Visitors Bureau, for the Rio de Cerveza Brew Fest. The event will be held at the Desert Sun Stadium located at 1280 W. Desert Sun Drive, on Saturday, October 19, 2013 from 3:00 p.m. to 9:00 p.m. (SP13-26) (City Administration/City Clerk) (Lynda Bushong)

26. 4. Special Event Liquor License: Yuma Visitors Bureau - Mogollon Concert

Approve a Special Event Liquor License application submitted by Clyde Robert Nidiffer, on behalf of the Yuma Visitors Bureau, for the Mogollon Concert. The concert will be held at the Quartermaster Depot located at 201 N. 4th Avenue, on Saturday, October 26, 2013 from 5:00 p.m. to 11:00 p.m. (SP13-27) (City Administration/City Clerk) (Lynda Bushong)

28. 5. Bid Rejection: Towing Services and Vehicle Storage

Reject all bids for Towing Services and Vehicle Storage
(City Wide - Bid #2013-20000167) (John Lekan and Charlie Caudill)

30. 6. Cooperative Purchase Agreement: Automated Side Loader Bodies

Authorize the purchase of three Automated Side Load Bodies, by utilizing the cooperative purchase agreement with the City of Tucson, at a total cost of \$367,957.65 to: Arizona Refuse Sales, LLC, Phoenix, Arizona. (Public Works / Fleet Services - Bid #2014-20000034) (Charlie Caudill)

32. 7. Business Associate Agreement: Intermedix Corporation

Authorize the City Administrator to execute a Business Associate Agreement between the City of Yuma and Intermedix Corporation in accordance with the Final Health Insurance Portability and Accountability Act of 1996 Omnibus Rule. (Fire/Administration) (Dennis Light for Jack McArthur)

45. 8. Intergovernmental Agreement: Yuma Elementary School District No. 1

Authorize execution of an Intergovernmental Agreement with Yuma Elementary School District No. 1 for the 2013-2014 School Safety Program for the period of one year. (Police/Patrol) (John Lekan)

58. 9. Intergovernmental Agreement Amendment: Yuma County Flood Control District

Authorize the execution of Amendment #1 with the Yuma County Flood Control District for the Smucker Park Stormwater Basin. (Public Works/Engineering) (Joel Olea)

63. 10. Major Roadways Plan Amendment: Avenue A

Direct staff to modify the Major Roadways Plan designation for Avenue A, between 32nd Street and 24th Street, from a Principal Arterial Street - Constrained to a Minor Arterial Street. (Public Works/Engineering) (Joel Olea)

65. 11. Operating Agreement Amendment: Quartermaster Depot State Historic Park

Authorize the City Administrator to execute an amendment to the current agreement with the Yuma Crossing National Heritage Area Corporation (YCNHAC) to allow YCNHAC to manage and operate the Yuma Centennial Celebration (in addition to operating and maintaining the Quartermaster Depot State Historic Park), and to provide additional funding to YCNHAC to undertake the task of managing and operating the Yuma Centennial Celebration. (City Administration/Administration) (Ricky Rinehart)

70. 12. Final Plat: Pivot Point Yuma Subdivision

Approve the final plat of the Pivot Point Yuma Subdivision. The properties are located north of 1st Street between 5th Avenue and Gila Street, Yuma, AZ. The applicant is Dahl, Robins & Associates, on behalf of the United States Bureau of Reclamation, the United States Bureau of Land Management, and the City of Yuma (SUBD-3617-2013). (Community Development/Community Planning) (Laurie Lineberry)

SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as recommended:

M/_____ S/_____ VV/_____

II. RESOLUTION CONSENT AGENDA

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

85. A. Resolution R2013-36 Development Fee Deferral: Salvador Perez

Approve a Development Agreement with Salvador Perez, permitting the deferral of City of Yuma Development Fees and Water and Sanitary Sewer Capacity Charges for a property in a Sierra Montana subdivision. (City Engineering/Engineering) (Joel Olea)

SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as recommended:

M/_____ S/_____ RV/_____

III. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

94. A. Ordinance O2013-45 Lease: Kyla Property

Authorize the City Administrator to execute a five-year lease agreement, with the option to renew for three five-year periods (total of 20-year lease) with the following company: Zayo Group, Louisville, Colorado. (City Administration - RFO #2013-20000224) (Kevin Wilkins)

SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:

M/ _____ **S/** _____ **RV/** _____

IV. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

113. A. Ordinance O2013-46 Rezoning of Properties: 3120 & 3162 West 24th Street

Rezone properties from the Agriculture (AG) District to the Agriculture / Public Overlay (AG/P) District. (ZONE-3635-2013) (Community Development/Community Planning) (Laurie Lineberry)

123. B. Ordinance O2013-47 Rezoning of Properties: Avenue A from 16th Street to 17th Street

Rezone properties located on the east side of Avenue A from 16th Street to 17th Street and at 1113 & 1201 W. 16th Street from the General Commercial (B-2) District, Transitional (TR) District, and the Low Density Residential (R-1-6) District to the Limited Commercial (B-1) District. (ZONE 3746-2013) (Community Development/Community Planning) (Laurie Lineberry)

136. C. Ordinance O2013-48 Street Naming: George Downey Drive

Commemoratively name the entrance drive of Gateway Park to "George Downey Drive." (Community Development/Community Planning) (Laurie Lineberry)

144. D. Ordinance O2013-49 Scrivener's Error Correction: 2012 International Existing Building Code and 2012 International Building Code

Approve an amendment to Ordinance No. O2013-12, the 2012 International Existing Building Code and Ordinance No. O2013-14, the 2012 International Building Code, to correct a scrivener's error of the Arizona Revised Statute reference in Section 1 (B). (City Attorney)

147. E. Ordinance O2013-50 Right-of-Way Abandonment, Declaration as Surplus and Authorization of Sale

Authorize the abandonment, declaration as surplus reservation of an easement and disposal by sale of a portion of 4th Avenue right-of-way. (Public Works/Engineering) (Joel Olea)

V. PUBLIC HEARINGS & RELATED ACTIONS

There are no public hearings scheduled at this time.

VI. APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Discussion and possible action on the following items:

1. Appointments:

- Housing Authority of the City of Yuma: One appointment to an unexpired term ending 1/21/2014
- Parks, Arts and Recreation Commission: One appointment to an unexpired term ending 12/31/2015
- Community Tree Board: One re-appointment to expire 12/31/2017

2. Announcements:

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of August 22, 2013 through September 4, 2013. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

3. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

VII. SUMMARY OF CURRENT EVENTS

This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

VIII. CALL TO THE PUBLIC

Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

IX. EXECUTIVE SESSION

An Executive Session may be called during the public meeting for the purpose of receiving legal advice for items on this agenda pursuant to A.R.S. Section 38-431.03 A (3 and/or 4) and the following items:

- a. Discussion regarding personnel issue. (A.R.S. 38-431.03 A1)

ADJOURNMENT

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, Yuma, Arizona 85364-1436; (928) 373-5125 or TTY (928) 373-5149.